

EXHIBIT 5

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January 10, 2013

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General Counsel
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Re: Aldo Vera v. Cuba, No. 12-1596

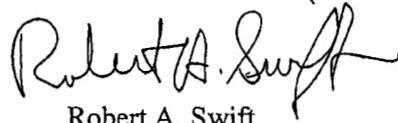
Dear Sir:

I am co-counsel with Anderson Kill & Olick representing the Plaintiff in the above matter. On November 5, 2012 an information subpoena was served on your bank requesting information as to all accounts at your bank for the Republic of Cuba, its agencies and instrumentalities. (A notice of execution was also served on your bank in December) Although I have repeatedly left voicemail messages for an individual in your bank's Compliance Department, Ms. Johanna Terrero, no response has been forthcoming. Copies of the aforesaid documents are attached hereto for your convenience.

The judgment in this case, almost \$50 million, is for terrorism in the assassination of an American national on American soil. A response to the subpoena was due, pursuant to the New York CPLR, within seven business days. The Office of Foreign Assets Control ("OFAC") in Washington, D.C. has informed me in writing that your bank has more than \$10,000 in Cuban government related blocked assets based on a report that your bank filed with OFAC. Your bank could easily and readily utilize your OFAC report to prepare a response. Other major New York banks with New York branches have done exactly that.

Absent receiving a complete written response to the subpoena from your bank by January 18, it is my intention to file a motion to compel a response with the federal court in New York.

Very truly yours,



Robert A. Swift

RAS/yr
Encs.